

REMARKS

Applicant hereby confirms his election of the claims of Group 4 directed to the species of Fig. 6 as previously elected.

Non-elected Claims 25-32 are cancelled. These claims were directed to the embodiments of Fig. 8, 9, and 10. Therefore, applicant requests that Figs. 8, 9, and 10 be cancelled and that specification Paragraphs 31-34 which describe Figs. 8, 9, and 10 be cancelled. The subject matter of Figs. 8, 9, and 10, and Paragraphs 31-34 is covered in copending continuation-in-part application 10/718,017, filed November 20, 2003.

The Examiner has provisionally rejected the claims of the application on the ground of double patenting with respect to copending application No. 10/654,666. Applicant acknowledges this provisional rejection and will respond to the rejection if and when the conflicting claims are indicated allowable in one or the other of the applications except for the double patenting situation. Different species were elected in this application and in the 10/654,666 application. It is pointed out that Examiner Eric K. Nicholson in the 10/654,666 application has cited and applied different prior art than cited and applied here. Examiner Nicholson has applied the Fisher patent cited but not applied in this application as well as Patent No. 5,752,724 to Bormioli, not cited in this application, both as 102 anticipating references. The amendments to Claims 1, 2, 3, 7, 10, 11, 12, 14, and 15, and added New Claims 33-37 are the same amendments as made in response to the rejections made in the 10/654,666 application. The claims amended to put them in independent form were claims indicated as allowable in Application No. 10/654,666 if written in independent form. Claims 23 and 24 remain in this application, but were cancelled in the 10/654,666 application.

The Examiner in the present application has rejected Claims 1, 10, 13-18, and 21 under 35 USC 102 as anticipated by Oetiker. Oetiker shows a combined coupling and valve for compressed air conduits. However, applicant disagrees that Oetiker's coupling anticipates applicant's coupling.

Applicant's claims recite "a set of first class lever jaw members each having a power arm and a separate weight arm extending from a fulcrum." Applicant's specification, lines 10-13 of Paragraph 4, state "By separate arms is meant that the power arm and weight arms are separate arms, although they may be formed by a single length of material with the fulcrum dividing the length of material into the power arm and the weight arm where the two arms have a common portion surrounding the fulcrum." Oetiker does not provide "separate arms" as defined by applicant. Oetiker provides a single arm or lever *c* which is mounted on and pivots about pivot *q*. Catch *h* forms part of lever *c*. Catch *h* is not a separate arm or mounted on a separate arm. It is part of the single arm *c*.

Further, applicant's claims require "means mounting each lever jaw member of the set of lever jaw members to the coupling body to establish the fulcrum for rotation of each lever jaw member about the fulcrum where rotation of the power arm about the fulcrum causes rotation of the weight arm about the fulcrum to an engaged position or to a disengaged position with respect to the end portion of the pipe when the pipe is received in the coupling body." This is not taught by Oetiker. In Oetiker, rotation of the arm or lever *c* moves a conduit member *b* along the axis of the coupling against seal *i* to open the valve formed by seal *i* to allow compressed air to flow into conduit member *b*. Rotation of Oetiker's arm about its fulcrum does not engage or disengage the conduit member *b* with respect to the coupling body *a*. Oetiker's whole arm or lever *c*, as well as the pivot axis, must be moved, not by rotation about its pivot, but by pressure against actuating button *d* and spring *e*, and along the axis of the pivot, to move both the pivot and the arm laterally to engage or disengage the conduit member *b* with respect to the coupling body *a*. This is completely different than the arrangement and operation of applicant's device.

Oetiker does not anticipate applicant's Claims.

A check for \$200.00 for two additional independent claims over three (five independent claims total after amendment) is enclosed. Please charge any additional fees due or credit any overpayment to Deposit Account 13-1175 of the undersigned.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert R. Mallinckrodt", written over a horizontal line.

Robert R. Mallinckrodt
Attorney for Applicant
Registration No. 26,565
Customer No. 27469

January 27, 2005
Salt Lake City, Utah

gen:p\018-First Amendment.wpd